

REMARKS

Claims 1-3 and 6-17 are pending in the application and stand rejected. Claims 1, 2, 8, 9 and 12-17 have been amended. Claims 4 and 5 are canceled. In light of the foregoing amendments and the following remarks, Applicant earnestly solicits favorable reconsideration.

Title

The title was objected to for lack of description. The title has been amended to read, "Electronic Remote Billing Method and Server Program Thereof."

Claim Rejections - 35 U.S.C. §112

Claims 1-17 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Specifically, the Examiner contends that in claims 1, 2, 8, 9 and 12-17, the phrase "by a predetermined time," is not clear. Applicant has amended the claims to address this rejection.

The Examiner also rejects the phrase "billing," because "no bill is sent for the user's approval." However, for example, as shown in Fig. 3, S24-S25, payment data is transmitted to the user, the user checks the payment data and then requests payment and finally the billing process occurs. Thus, the user does get "billed" for the service. Applicant submits this term is appropriate.

Regarding claim 3, the Examiner contends the term "front-end payment system" is unclear. Applicant has amended claim 3 to address this rejection.

On the Merits

Claim Rejections - 35 U.S.C. §102

Claims 1-5 and 8-17 stand rejected under 35 U.S.C. §102(b) as being anticipated by WO 200163563 A1 (Published August 30, 2001), to *Silberberg*. *Silberberg* was also published as US Patent Publication 2003/0010821.¹

Independent Claim 1:

Independent claim 1 requires:

A server comprising:

¹a communications process unit performing a communicating process with a user device and a system of billing a user by a predetermined time through a network; and

²a payment process unit performing a payment by communicating with the system of billing a user by a predetermined time, and obtaining charge information from the system through the network

³ wherein said system of billing a user by a predetermined time is a parking meter, and the charge is a parking charge for use of the parking meter.

The Examiner contends that the first requirement (as labeled above) is disclosed in *Silberberg* in paragraph 23, page 2. Paragraph 23 requires “a communication means for communicating with a remote location.” However this feature is included in the “parking meter” as discussed in paragraph 22. Claim 1 requires this feature to be in a server.

Regarding the “user device” of claim 1, the Examiner contends this feature is disclosed in paragraph 10, where the user device is a user’s mobile telephone.

¹ Applicant notes that when the Examiner cites to page and paragraph numbers, she is using the US Patent Publication reference.

Regarding the second element of claim 1, the Examiner cites to paragraphs 33-41. Here *Silberberg* discusses a “central facility to which a user can make a telephone call to request parking; [and] taking payments for the parking which is required....” Applicant notes that this passage refers to a “central facility” and not to the “parking meter” as discussed above.

Claim 1 requires each of the above labeled elements to be in a “server;” i.e. as shown in Fig. 1. It appears *Silberberg*, according to the Examiner, shows these elements in a “central facility” and also in a “parking meter.” This is not what is required by claim 1.

Independent Claim 2:

Claim 2 requires in part:

an information providing unit obtaining current use information from the system of billing a user by a predetermined time according to recorded information transmitted in advance from the user device or at a request from the user device, and transmitting the obtained use information to the user device.

Regarding claim 2, the first element of the claim is the same as claim 1, thus please see the discussion above.

Dependent Claim 3:

As claim 3 ultimately depends from claim 1, the arguments presented above regarding claim 1 also apply to claim 3.

Independent Claims 8, 9, 12, 13 and 17:

Independent claims 8, 9, 12, 13 and 17 each require similar features as those required in independent claim 1. As such, the arguments presented above regarding independent claim 1 also apply to independent claims 8, 9, 12, 13 and 17.

Response
Application No. 10/662,324
Attorney Docket No. 030192A

Dependent Claim 10:

As claim 10 depends on claim 8, the arguments presented above regarding claim 8 also apply to claim 10.

Independent Claims 14-16:

Independent claims 14-16 require similar features to that of independent claims 1 and 2. As such, the arguments presented above regarding claims 1 and 2 also apply to claims 14-16.

Claim Rejections - 35 U.S.C. §103

Claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Silberberg*, and further in view of *Admasu* (U.S. Patent Publication 2002/0032601).

Independent Claim 6:

Independent claim 6 requires in part:

¹transmitting an identification number of a system of billing a user by a predetermined time and user information from a user device; and

²obtaining an address of a system of billing a user by a predetermined time corresponding to the identification number, obtaining use information from the system at the address, and adjusting a charge or providing information.

The Examiner acknowledges that the first element is not disclosed *Silberberg*, but instead contends it is disclosed in *Admasu* in paragraph 42. There *Admasu* discusses “the use of wireless connectivity to satisfy payment for off-street parking services in a gated lot. ... Upon connection to the web server 52, the motorist enters, via the cell phone, the account identifier 24 and the

Response
Application No. 10/662,324
Attorney Docket No. 030192A

unique identification number located on the time stamped ticket.” Applicant respectfully submits that the first element of claim 6 is not disclosed or fairly suggested.

Dependent Claim 7:

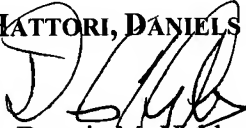
As claim 7 depends from claim 6, the arguments presented above regarding claim 6 also apply to claim 7.

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant’s undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Dennis M. Hubbs
Attorney for Applicant
Registration No. 59,145
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

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